

**Rule 17.300—Form 309: Application and Affidavit to Defer Payment of Costs**

**Applicant uses this form** only if Applicant cannot afford to pay the fees to file and serve the Application.

- Use this form if it would cause you to suffer a hardship if you had to pay the filing fee and cost of serving papers.
- You may need to provide proof of your income and assets and your expenses.
- Costs and fees paid to someone other than the court or sheriff **cannot be waived**.

*If you do not understand how to use this form, or if you should use this form, talk to an attorney.*

In the Iowa District Court for webster County  
County where Application is filed

**Upon the Petition of**

GARRET TRACY ARMSTRONG

**Petitioner**

*Full name of Petitioner as it is in the Application*

and concerning

VALERO RENEWABLE FUELS

**Respondent**

*Full name of Respondent as it is in the Application*

Equity case no. \_\_\_\_\_

**Application and Affidavit to  
Defer Payment of Costs**

**1. Request**

A. My name is GARRET TRACY ARMSTRONG.

B. For my Application and Affidavit, I state that:

*Check all that apply*

- (1) ☐ I am unable to pay the filing fee or service costs or other court costs.
- (2) ☐ I ask the court for permission to proceed without prepayment of costs and fees.
- (3) ☐ I am filing this Application and Affidavit in good faith.
- (4) ☐ I believe I am entitled to what I am asking for in this case.

C. Household

There are 1 people living in my household.  
*Number*

D. My household income is \$ 0.00 per month.

*Put the total amount of all income and benefits before deductions for all members of your household.*

E. My income comes from:

*List the sources of your income. Examples: salary, wages, or benefits such as unemployment, Title 19, FIP.*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**EXHIBIT**

**A**

Rule 17.300—Form 309: *Application and Affidavit to Defer Payment of Costs*, continued

F. My household has the following monthly expenses:

|                      |                  |
|----------------------|------------------|
| (1) Rent or mortgage | \$ _____         |
| (2) Utilities        | \$ _____         |
| (3) Phone            | \$ _____         |
| (4) Food             | \$ _____         |
| (5) Transportation   | \$ <u>600.00</u> |

G. I have \$ 0.00 in cash, checking, and savings.

*Continued on next page*

Rule 17.300—Form 309: Application and Affidavit to Defer Payment of Costs, continued

**2. Attorney Help***Check one*A. ☐ An attorney did not help me prepare or fill in this paper.B. ☐ An attorney helped me prepare or fill in this paper.*If you check B, you must fill in the following information:*\_\_\_\_\_  
*Name of attorney or organization, if any*\_\_\_\_\_  
*Attorney's P.I.N. # – Ask the attorney*\_\_\_\_\_  
*Business address of attorney or organization*\_\_\_\_\_  
*City*\_\_\_\_\_  
*State*\_\_\_\_\_  
*ZIP code*(\_\_\_\_\_) \_\_\_\_\_  
*Attorney's phone number*(\_\_\_\_\_) \_\_\_\_\_  
*Attorney's fax number – optional*\_\_\_\_\_  
*Attorney's email address – optional***3. Certification of Service by Mailing or Delivery***Section 3 to be completed **only if filing in paper** or if the other party is **exempt** from electronic filing.**This document, if filed electronically, will automatically be served on registered parties.*I, \_\_\_\_\_, certify that on \_\_\_\_\_, 20\_\_\_\_\_  
*Print your name* *Month* *Day* *Year*

I mailed or gave a copy of this Application and Affidavit to the other party or the other party's attorney at this address:

\_\_\_\_\_  
*Name of person to whom I delivered or mailed it*\_\_\_\_\_  
*Party's or attorney's mailing address*\_\_\_\_\_  
*City*\_\_\_\_\_  
*State*\_\_\_\_\_  
*ZIP code***4. Oath and Signature**I, \_\_\_\_\_, certify under penalty of perjury and pursuant to the laws of  
*Print your name*

the State of Iowa that I have read this Application and Affidavit and that the information I have provided in this Application and Affidavit is true and correct.

\_\_\_\_\_, 20\_\_\_\_\_  
*Signed on: Month Day Year* *Your signature\**\_\_\_\_\_  
*Mailing address*\_\_\_\_\_  
*City*\_\_\_\_\_  
*State*\_\_\_\_\_  
*ZIP code*(\_\_\_\_\_) 227-3141  
*Phone number*keeb.ga@gmail.com  
*Email address*\_\_\_\_\_  
*Additional email address – if available**\* Whether filing electronically or in paper, you must handwrite your signature on this form. If you are filing electronically, scan the form after signing it and then file electronically.*

Notice ID: 2RCV02

## IN THE IOWA DISTRICT COURT FOR WEBSTER COUNTY

GARRET TRACY ARMSTRONG,

PETITIONER,

vs.

VALERO RENEWABLE FUELS,

RESPONDENT.

Case No. 02941 LACV322913

Order

The Court has before it the Petitioner's Application to Defer the Costs of Filing relative to FILING. The Court, after reviewing the Application, finds that the Petitioner is indigent and does not appear to have sufficient funds to pay the filing fee at this time.

IT IS, THEREFORE. ORDERED pursuant to Iowa Code section 610.2, the Clerk of Court shall allow the Petitioner to file the petition without the prepayment of the filing fee.

IT IS FURTHER ORDERED that said costs are deferred, not waived, and shall be assessed as court costs to be paid by one or both of the parties upon completion of this case pursuant to section 610.3.

IT IS FURTHER ORDERED that the Application to Defer the Costs of Filing and a copy of this Order shall be served upon the Respondent along with the original notice and petition filed by the Petitioner. The sheriff shall serve these documents without prepayment of the sheriff's service fees

CLERK TO FURNISH COPIES TO:



State of Iowa Courts

**Case Number**  
LACV322913  
**Type:**

**Case Title**  
GARRET ARMSTRONG VS VALERO RENEWABLE FUELS  
OTHER ORDER

So Ordered

A handwritten signature in black ink, appearing to read "Derek Johnson", is written over a horizontal line.

Derek Johnson, District Court Judge,  
Second Judicial District of Iowa

Electronically signed on 2023-09-27 07:34:12

Notice ID: 2RCV02

IN THE IOWA DISTRICT COURT FOR WEBSTER COUNTY

GARRET TRACY ARMSTRONG,

PETITIONER,

vs.

VALERO RENEWABLE FUELS,

RESPONDENT.

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Second Judicial District of Iowa

Electronically signed on 2023-09-27 07:34:12

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**IN THE IOWA DISTRICT COURT FOR WEBSTER COUNTY**

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|                         |   |                           |
|-------------------------|---|---------------------------|
| UPON THE PETITION OF    | ) |                           |
| GARRET T. ARMSTRONG,    | ) |                           |
|                         | ) | Case. No.LACV322913       |
| PLAINTIFF.              | ) |                           |
|                         | ) | COMPLAINT and JURY DEMAND |
| Vs.                     | ) | EMPLOYMENT DISCRIMINATION |
|                         | ) |                           |
| VALERO RENEWABLE FUELS, | ) | <b>ORIGINAL NOTICE</b>    |
|                         | ) |                           |
| DEFENDANT.              | ) |                           |

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TO THE ABOVE-NAMED DEFENDANTS:

Valero Renewable Fuels

1930 Hayes Avenue, Fort Dodge, Iowa 50501

(515) 955-5010

You are notified that a petition has been filed in the office of the clerk of this court naming you as the Defendant(s) in this action. A copy of the petition (and any documents filed with it) is attached to this notice.

You must serve a motion or answer upon the Plaintiff within 20 days after service of this original notice upon you and, within a reasonable time thereafter, file your motion or answer with the Clerk of Court for Webster County, at the courthouse in Fort Dodge, Iowa. If you do not, judgment by default may be rendered against you for the relief demanded in the petition.

If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator. The Clerk of Court will be able to provide you with this number. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.

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Clerk of Court  
Webster County Courthouse  
701 Central Avenue  
Fort Dodge, Iowa, 50501



**DIRECTIONS FOR SERVICE OF ORIGINAL NOTICE**  
(If Notice to be served personally by Sheriff, Process Server, etc.)

TO: Sheriff Webster County                      -OR-                      TO: Private Server  
Webster County Courthouse  
Fort Dodge, Iowa

Serve: Valero Renewable Fuels.

At: 1930 Hayes Avenue, Fort Dodge, Iowa 50501

Upon the following personal: Any Officer or Representative of Valero Renewable Fuels in Fort Dodge, Iowa, able to legally accept service of this Petition and Original Notice.

ON COMPLETION OF SERVICE NOTIFY: Webster County Clerk of Court in Fort Dodge, Iowa

Special Instructions or Information Regarding Service: Please hand deliver upon Valero Renewable Fuels to the business office or the human resources department.

Name and Signature Originator:

BY: Garret T. Armstrong

DATE: November 20, 2023

PHONE: (515) 227-3141

**DEPOSIT FOR COST OF SERVICE**

The Appropriate Court Officer shall issue order all necessary writs, process, and proceedings and shall order that all Fees, Cost, and Security be DEFERRED until final disposition of the preceding. Per Iowa Code 610.

Clerk of Court

**Iowa Judicial Branch**

Case No. **LACV322913**  
County **Webster**

Case Title **GARRET ARMSTRONG VS VALERO RENEWABLE FUELS**

You must file your Appearance and Answer on the Iowa Judicial Branch eFile System, unless the attached Petition and Original Notice contains a hearing date for your appearance, or unless the court has excused you from filing electronically (see Iowa Court Rule 16.302).

Register for the eFile System at [www.iowacourts.state.ia.us/Efile](http://www.iowacourts.state.ia.us/Efile) to file and view documents in your case and to receive notices from the court.

For general rules and information on electronic filing, refer to the Iowa Rules of Electronic Procedure in chapter 16 of the Iowa Court Rules at [www.legis.iowa.gov/docs/ACO/CourtRulesChapter/16.pdf](http://www.legis.iowa.gov/docs/ACO/CourtRulesChapter/16.pdf).

Court filings are public documents and may contain personal information that should always be kept confidential. For the rules on protecting personal information, refer to Division VI of chapter 16 of the Iowa Court Rules and to the Iowa Judicial Branch website at [www.iowacourts.gov/for-the-public/representing-yourself/protect-personal-information/](http://www.iowacourts.gov/for-the-public/representing-yourself/protect-personal-information/).

*Scheduled Hearing:*

If you need assistance to participate in court due to a disability, call the disability access coordinator at **(641) 421-0990**. Persons who are hearing or speech impaired may call Relay Iowa TTY (1-800-735-2942). For more information, see [www.iowacourts.gov/for-the-public/ada/](http://www.iowacourts.gov/for-the-public/ada/). **Disability access coordinators cannot provide legal advice.**

Date Issued **11/21/2023 09:41:06 AM**



District Clerk of Court or/by Clerk's Designee of Webster  
/s/ **Josh Winkel**

County

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**IN THE IOWA DISTRICT COURT FOR WEBSTER COUNTY**

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|                         |   |                                 |
|-------------------------|---|---------------------------------|
| UPON THE PETITION OF    | ) |                                 |
| GARRET T. ARMSTRONG,    | ) |                                 |
|                         | ) | Case. No.LACV322913             |
| PLAINTIFF.              | ) |                                 |
|                         | ) | PETITION WITH OUT JURY DEMAND   |
| Vs.                     | ) | RELIGIOUS DISCRIMINATION        |
|                         | ) |                                 |
| VALERO RENEWABLE FUELS, | ) | <b>PETITION AND JURY DEMAND</b> |
|                         | ) |                                 |
| DEFENDANT.              | ) |                                 |

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COMES NOW, The Plaintiff, Garret Tracy Armstrong and acting Pro Se lays out the foundation of this lawsuit against Defendant(s) Valero Renewable fuels (aka “Valero”).

**COMPLAINT**

This is an employment-related action that arose on December 22<sup>nd</sup> 2021, for violations of the Plaintiffs rights granted under the Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e et seq. ('Title VII'); Iowa civil Rights act of 1965, Iowa code chapter 216, Iowa code chapter 94, Iowa Code Chapter 27c of the Iowa Code. Plaintiff was discriminated and retaliated against based on his Christian Seventh Day Adventist religious view regarding vaccination, when he was not hired to either of the two different vacant positions at Valero Renewable Fuels, denied accommodation, and otherwise harmed in terms and conditions of employment by management at the Defendant's facilities: Valero Renewable Fuels in Fort Dodge, Iowa.

**JURISDICTION AND VENUE**

This court has jurisdiction pursuant to the Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. 2000e to 2000e-17 (religion), Iowa Civil Rights Act of 1965, and §216, §94, §27c of the Iowa Code. Valero is a Business within Webster County Iowa.

The unlawful employment practices alleged below were committed and/or executed by supervisory personnel of Valero Renewable Fuels (“employers”). The claims arise from events that took place between February 22<sup>nd</sup> 2021 and December 23<sup>st</sup> 2021 in the facility in Fort Dodge, Iowa.

### **PARTIES**

The Plaintiff, Pro Se, Garret T. Armstrong, is an adult individual who has a mailing address of 1007 South 22<sup>nd</sup> Street, Fort Dodge, Iowa 50501. His email address is: keeb.ga@gmail.com

The Defendant, Valero Renewable Fuels (aka Valero) is an Iowa business located in webster county Iowa and engages in commerce for the purposes of Title VII of Civil Rights Act of 1964 and qualifies as an employer within the meaning of the statute and regulations at issue in this case.

Valero Renewable fuels is represented by Attorney Steve Romero, 1 Valero Way, San Antonio, Texas 78249.

### **Complaint**

- (1) At the first stage of this approach, Plaintiff bears the burden of establishing a *prima facie* case of disparate treatment with respect to religious discrimination. Plaintiff establishes, through direct and/or indirect evidence, that.
- (2) Mr. Armstrong is a Seventh day-Adventist and was baptized in 1995 into the Seventh day-Adventist church in Albia Iowa, he is a member of and/or practices a particular religion.
- (3) Mr. Armstrong has a degree in Process Technology and a Diploma in Industrial Mechanics along with 5 plus years working in a refinery and management experience make him more than qualified for the stated position(s). Also, Defendant offered him a position only 10 months prior, that he turned down for personal reasons he is qualified to perform the job at issue.

- (4) Mr. Armstrong was not hired due to his religious beliefs and those beliefs conflicting with being vaccinated, The vaccination policies at Valero requiring all new hires to be fully vaccinated against Covid 19 before starting date of work, conflicted with his Seventh-Day-Adventist beliefs and not getting vaccinated. Plaintiff has suffered lose of a job, emotional despair, financial harm, and other adverse employment action(s); and
- (5) The position was filled on or about march of 2022 by a Non-Seventh Day-Adventist and this employee was not required to be vaccinated prior to starting at Valero Renewable Fuels in Fort Dodge Iowa ,(see the attachment offer letter to Ms. Dencklau that was hired for the position on or about march of 2022). This shows an inconstancy to the hiring procedures for Seventh day Adventist applicants and non-Seventh day Adventist in the conditions of hiring at Valero.<sup>1</sup>
- (6) Mr. Armstrong did apply later that summer of 2022 in the end of June for a position at there Lakota city plant.
- (7) Valero admits to this but alleges that Mr. Armstrong never returned their call.
- (8) Mr. Armstrong doesn't recall a missed call or any emails sent. Mr. Armstrong had cell interruption from conduct arising from a Valero Employee in the later months of July and August of 2022.

### **STATEMENT OF FACTS**

- (1) On December 20<sup>th</sup> 2021, Plaintiff applied at Valero Renewable Fuels in Fort Dodge, Iowa for a Process operator position and also a warehouse operator position.
- (2) On December 22<sup>nd</sup> 2021 Plaintiff received a phone call from a Loree Stewart, a representative of Valero and Conducted a phone interview with her at that time.

### **BRIEF DESCRIPTION OF INTERVIEW**

- (1) Ms. Stewart Introduced herself as a representative of Valero and wanted to know *“if I had time for a quick phone interview do to the fact that Valero had already extended an offer letter for an operations position in February of that same year”*, that she was *“eager to get an onsite interview scheduled”*.

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<sup>1</sup> The church even turned their back on the belief in God and he alone has the power to protect those who believe in him. If you don't believe this yourself, ask me how I was not only able to walk away but road by bike home after with almost no injuries away from hitting 2 deer in august of 2022 doing 55mph+ on my motorcycle because It's those instance that prove to me with out a showed of a doubt that the Lord God able to protect us. I've not always been the best Christian and am thankful for a creator that forgives those who ask for forgiveness.

- (2) Mr. Armstrong replied “yes” and he let Ms. Stewart know that he *had time to do a phone interview* right then.
- (3) Ms. Stewart said she was “*going to start out with a few questions*”. And said, “*We here at Valero require that all new hires be fully vaccinated against Covid-19 or have been fully vaccinated against Covid-19 by your first day of employment at the Valero plant in Fort Dodge, Iowa.*” She went on to ask, “*Are you now fully vaccinated against covid-19 and if not? And if not, are you willing to get fully vaccinated against covid-19 before your first day of employment with Valero?*”
- (4) Mr. Armstrong Responded with “*No mam, do to my religion and faith in God I’ve never been vaccinated and can’t get them cause they’re against my religions.*”
- (5) Ms. Stewart hastily interjected and “*thanked Mr. Armstrong for his interest in the position with Valero but that would be all and they would have to end the interview there and they wouldn’t be able to proceed any further*” and hung up before Mr. Armstrong could utter a reply or try and ask her if there was any way they could find a reasonable accommodation.
- (6) That ended the Phone interview and Mr. Armstrong didn’t hear more from Valero about a position.

### **CONTINUATION OF FACTS**

- (1) In March of 2022 Vareo filed the warehouse position with a Tina Dencklau who is an unvaccinated Christian but is a Sunday worshiper and not a Saturday worshiper as Plaintiff is. is a Seventh day Adventist. Tina was not required to be vaccinated against covid-19 to start working there in March and was given a \$4,000. Sign on bonus that was not offered to plaintiff or part of the position profile when Mr. Armstrong applied in December 2021.

### **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

- (1) On December 23<sup>rd</sup> 2021 Plaintiff contacted the United States Equal Employment Opportunity Commission (EEOC) to file an inquire in regards to the discrimination that took place on December 22, 2021 by Defendant.
- (2) On June 6<sup>th</sup>, 2022 Plaintiff filed a formal complaint with the EEOC (Agency Charge No. 443-2022-00866)

- (3) On October 10<sup>th</sup> 2022 Plaintiff was sent notice that the EEOC had cross filed the charge with the Iowa Civil Rights Commission (ICRC), and that they were going to let the EEOC complete its investigation before proceeding.
- (4) On February 22<sup>nd</sup> 2023, Defendant submitted to the EEOC their "Respondent position statement."
- (5) On April 5<sup>th</sup> 2023, Plaintiff submitted a rebuttal to Defendants position statement.
- (6) On June 29<sup>th</sup> 2023 the EEOC administrative closed the case.
- (7) On July 6<sup>th</sup> 2023, the ICRC sent plaintiff notice of the EEOC notifying them "that the has been Successfully Conciliated. The ICRC will take no further action in this case. And that the matter may be re-opened by informing the ICRC if the Respondent does not fulfill all the conditions and previsions of the enclosed conciliation agreement."
- (8) On August 8<sup>th</sup> 2023, Plaintiff requested the Case file from the EEOC through a Freedom of Information Act (FIOA) request. But what he received has nothing to do with this case. It stated it was granted in part and denied in part.
- (9) On September 26 plaintiff filed an application to proceed in state court as in forma pauperis, And per Iowa code Section 610.1 Ended the clock to the 90s set by the right to sue.
- (10) On September 29 the court granted Plaintiff the waiver of fees and in doing so approved a filing of a petition to be filed.
- (11) Plaintiff has a right to sue letter from the Iowa Civil rights Commission dated 11/14/2023 to issue there letter of right to sue that they said is forth coming.

### **REMEDIES and RELIEF**

- (1) Plaintiff seeks immediate placement to the position of hire of a suitable position, at Valero plant in Fort Dodge Iowa.
- (2) He also seeks lost wages and benefits for the denied position for the time period between December 22<sup>nd</sup> 2021 to the time of this suite.
- (3) Plaintiff seeks compensatory damages for pain and suffering in the maximus amount of allowed by law. Along with other relief the court my find equitable.
- (4) 36. Plaintiff seek appropriate remedies, pecuniary and non-pecuniary, including but not limited to immediate full restoration of lost wages and benefits; and compensatory damages for the deterioration of mental and physical health

conditions aggravated by the Defendant's discrimination the work place. More specifically, Plaintiff seeks the follow remedies:

- a. Immediate instatement to the position from which he was or similar position.
- b. Back pay and restoration of seniority and benefits upon instatement.
- c. Restoration of the lost contribution to Plaintiff employee's 401k.
- d. Restoration of the lost TSP contribution with match 5%  
((1%+3%)@100%+2%@50%).
- e. Restoration of annual leave () since the failure to hire (on December 22<sup>nd</sup>, 2021) to the time plaintiff starts working fro defndents with the garenty of no retaliatory or other punitive actions taken against the defendant along with any other persons mentioned in this suite or until the court sees fit of a start date or hiring Mr. Armstrong.
- f. Restoration of sick leave (4 hours per pay period since the removal to the time of reinstatement to the position.
- g. Restoration of the lost Social Security Tax Payment since the removal to the time of reinstatement to the position.
- h. Attorney fee of \$7,500.
- i. non-attorney fee of \$3,000.
- j. Compensatory damages in the amount maximum amount allowed by law or a jury or this court see fit.
- k. Enter judgment in favor of Mr. Armstrong and against the Defendant for violation of Mr. Armstrong Rights under Title VII and Iowa employment laws under common law more as listed.
- l. Declare that the actions of the Defendant constituted unlawful discrimination.
- m. Award Mr. Armstrong compensatory damages, including, but not limited to, lost wages and benefits, in such amount as will reasonably compensate him for his losses, and damages for emotional distress.
- n. Award Mr. Armstrong punitive damages in such amount as the Court deems proper.
- q. Award Mr. Armstrong his costs, attorneys' fees, and non-taxable expenses in this action; and



r. Grant Mr. Armstrong such other and further relief as the Court deems equitable and just.

**NON-JURY DEMAND**

The Plaintiff, pro se, Demands a Non-Jury trial on all issues in this action.

**PRAYER FOR RELIEF**

**WHEREFORE**, the Plaintiff prays for a trial and judgment in his favor and against the Defendant in the amount as just by the court.

**DECLARATION**

I, Garret Armstrong, hereby declare under penalty of perjury that the statement I made above is true to the best of my knowledge, information, and belief.

(sign) Garret Armstrong

November 20th, 2023

Respectfully Submitted,



Garret T. Armstrong

1007 South 22<sup>nd</sup> ST.

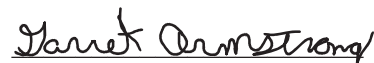
Fort Dodge, IA 50501

Keeb.ga@gmail.com

(515) 227-3141

**CERTIFICATE OF SERVICE**

I, , Garret Armstrong hereby certify that the above Complaint was served on the entity identified below on the date of November 20<sup>th</sup>, 2023 by signer of the signature below by means indicated below:



Garret Tracy Armstrong

1007 S 22<sup>nd</sup> Street

Fort Dodge, IA 50501

Keeb.ga@gmail.com

(515) 227-3141

Valero Renewable fuels served:

Via EDMS and CERTIFIED US MAIL,  
And posted at the court house in Webster County Iowa  
Documents served  
Complaint/petition  
Original Notice  
Application to defer filing fees  
Order granting deferral off filing fees.

**Table of authority**

**The highest authority there is**

God our Lord Almighty

**Iowa code**

**27C.2 - Proof of vaccination - denial of state grants or contracts**

1. Notwithstanding any provision of law to the contrary, a business or governmental entity shall not require a customer, patron, client, patient, or other person who is invited onto the premises of the business or governmental entity to furnish proof of having received a vaccination for COVID-19, as defined in section 686D.2, prior to entering onto the premises of the business or governmental entity. This section does not prohibit a business or governmental entity from implementing a COVID-19 screening protocol that does not require proof of vaccination for COVID-19.
2. Notwithstanding any provision of law to the contrary, grants or contracts funded by state revenue shall not be awarded to or renewed with respect to a business or governmental entity that violates subsection 1 on or after May 20, 2021.
3. For the purposes of this section:
  - a. *"Business"* means a retailer required to obtain a sales tax permit pursuant to chapter 423, a nonprofit or not-for-profit organization, or

an establishment which is open to the public at large or where entrance is limited by a cover charge or membership requirement, but does not include a health care facility as defined in section 686D.2.

**b.** *"Governmental entity"* means the state or any political subdivision of the state that owns, leases, or operates buildings under the control of the state or a political subdivision of the state, but does not include a health care facility as defined in section 686D.2.

*Iowa Code § 27C.2 Added by 2021 Iowa HF 889,s 2, eff. 5/20/2021.*

**94.2 COVID-19 vaccination requirements by employers —waiver.**

An employer that requires an employee to receive a COVID-19 vaccine shall waive the requirement if the employee, or, if the employee is a minor, the employee's parent or legal guardian, requests a waiver and submits either of the following to the employer:

1. A statement that receiving the vaccine would be injurious to the health and well-being of the employee or an individual residing with the employee.
2. A statement that receiving the vaccine would conflict with the tenets and practices of a religion of which the employee is an adherent or member.

2021 Acts, 2<sup>nd</sup> Ex, ch1, §2, 5

Not all authorities are listed.

Administrative Release  
(Letter of Right-To-Sue)

|  |  |
|--|--|
| To:<br><br>GARRET ARMSTRONG<br>1007 S 22ND ST.<br>FORT DODGE, IA 50501 | ) From:<br>)<br>) Iowa Civil Rights Commission<br>) Grimes State Office Building<br>) 400 E. 14 <sup>th</sup> Street<br>) Des Moines, Iowa 50319 |
| Complaint CP# 10-22-78936      EEOC# 443-2022-00866                    |  |

This is your Administrative Release (Right-To-Sue) Letter issued pursuant to Iowa Code § 216.16 and 161 Iowa Administrative Code Section § 3.10. It is issued pursuant to your request.

The conditions precedent found in 161 Administrative Code § 3.10(2) have been met.

With this Right-To-Sue Letter, you have the right to commence an action in district court. That action must be commenced within ninety (90) days of the Right-To-Sue Letter issuance date, 11/14/2023. The Right-To-Sue Letter is not a finding by the ICRC on the merits of the charge. The ICRC will take no further action in this matter.

A copy of the Right-To-Sue Letter has been sent to the Respondent(s) as shown below. The Administrative Rules allow any party to a complaint to request a copy of the file when a Right-to-Sue has been issued. The Administrative Rules allow any party to a complaint to request a copy of the file when a Right-to-Sue has been issued. If you or your attorney would like to obtain a copy of the file, please submit your request in writing via regular mail, fax, or email to [icrc@iowa.gov](mailto:icrc@iowa.gov). The copy and processing fees are as follows:

- Photocopy of investigative files - .25¢ per page; copies of digital recordings \$15.00 per electronic storage device (hard copy); actual cost of postage; search/supervisory fee \$26.00 per hour
- Scanned copy of investigative files - \$15.00 for first 150-page batch; \$10.00 for each 150-page batch thereafter; copies of digital recordings \$10.00 per electronic storage device (electronic copy); search/supervisory fee \$26.00 per hour

If you opt for an electronic copy, you must provide an email address in order to receive the copy.

The Iowa Civil Rights Commission

Phone: (515) 281-4121

FAX: (515) 242-5840

Email: [icrc@iowa.gov](mailto:icrc@iowa.gov)

cc: File

STEVE ROMERO, Respondent's Attorney  
VALERO RENEWABLE FUELS

## IN THE IOWA DISTRICT COURT FOR WEBSTER COUNTY

|  |                              |
|--|------------------------------|
| <b>Upon the Petition of</b><br><b>GARRET TRACY ARMSTRONG,</b><br><b>PLAINTIFF.</b> | Case no. LACV322913          |
| <b>Vs</b>  | <b>ACCEPTANCE OF SERVICE</b> |
| <b>VALERO RENEWABLE FUELS,</b><br><b>DEFENDANT(S).</b>                             |                              |

**Applicant** must file this form with clerk of court soon after the other party signs it.


The Other party receiving the Acceptance of service must complete this section:

**Acceptance of Service, Oath, and Signature of Other Party**

*If the other party completes this Acceptance of service, he or she must return this form to Applicant soon after signing it. Applicant will file it with the clerk of court.*

I, Mollie Pawlosky, represent Valero Services, Inc. in this case. I received a copy of the Original Notice, the Application to waive fees, and the Petition in this case. I have read this Acceptance of Service. I certify under penalty of perjury and pursuant to the laws of the State of Iowa that the information I have provided in this Acceptance of Service is true and correct.

December      13, 2023  
 Signed: Month      Day      Year

  
 Other party's signature

699 Walnut Street, Suite 1600      Des Moines      Iowa      50309  
 Other party's mailing address      City      State      ZIP code

( 515 ) 244-2600      mpawlosky@dickinsonlaw.com  
 Phone number      Email address

**IMPORTANT NOTICE**

By signing this form, you are not agreeing to what the Petition wants.  
 You are only agreeing that you have received a copy of the Original Notice and Petition.